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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 4TH DAY OF JUNE 1998

B E F O R E

THE HON'BLE MR. JUSTICE H.L. DATTU

WRIT PETITION NO.9315/1993

BETWEEN:

Sri D.B.Basavaraju,
Aged about 38 years,
S/o S.Basavegowda,
Devarahosahalli,
Chennapatna Taluk,
Bangalore Rural Dist.

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... Petitioner.

(By Sri Dr.M.S.Nagaraja for Petr.)

AND:

1. The Chief Executive Officer,
Karnataka State Khadi and
Village Industries Board,
10, Millers Tank Bund Road,
Bangalore - 52.

2. The Chairman,
Karnataka State Khadi &
Village Industries Board,
10, Miller Tank Bund Road,
Bangalore - 52.

... 2/-

3. Karnataka State Khadi &
Village Industries Board,
Rep. by its Secretary,
Karnataka State Khadi &
Village Industries Board,
No.10, Miller Tank Bund
Road, Bangalore - 52. ... Respondents.

(By Sri C.R.Gopala Swamy for R-1.)
R-2 and R-3 are served.

This Writ Petition filed under Articles 226 &
227 of the Constitution of India with an affidavit
praying to: Quash order No.KMC/Enquiry/52/1990-92/
91-92 dated 10.12./12.1.91 of the Chief Executive
Officer, imposing on the petitioner the punishment
of compulsory retirement from service (Annex-F) &
etc.

This Writ Petition coming on for hearing this
day, the Court made the following:

O R D E R

Against the orders made by the Disciplinary
Authority, petitioner has already preferred an appeal
before the Board. According to the learned counsel
for the petitioner, the appeal so filed by the
petitioner has not yet been disposed off by the
appellate authority inspite of long lapse of time.
Therefore, submits that this Court at this stage
need not consider the issues raised by the petitioner
in this writ petition and he would be satisfied if
a direction is given to the appellate authority to

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consider and dispose of the appeal preferred by the petitioner against the orders made by the disciplinary authority.

Taking note of the statement made by the learned counsel for the petitioner, this petition is disposed off with a direction to the Appellate Authority to dispose of the appeal said to have been preferred by the petitioner against the orders made by the Disciplinary Authority dated 31.12.1991 as expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this Court's order. Petitioner is at liberty to raise all such contentions which are available to him including the contentions raised in this petition before the appellate authority by filing additional grounds of appeal. All the contentions of both the parties are left open.

With these observations and direction, petition is disposed off. Ordered accordingly.

Sd/- Judge.



bsr(o.s.)

r. by: *L. S. B. S.*

c. by: *S.*

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Assistant Registrar
High Court of Karnataka
Bangalore-560 001

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